

*United States Attorney  
Southern District of New York*

December 15, 2023

**BY ECF & EMAIL**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

# MEMO ENDORSED

Re: *United States v. Cedrick Swinson*, 23 Cr. 647 (KPF)

Dear Judge Failla:

The Government respectfully requests, with the consent of the defendant, that the time between today and the date of the arraignment scheduled for January 9, 2024 be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow time for the parties to begin to produce and review discovery and will ensure the effective representation of counsel by providing time for adequate consultation.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/  
Alexandra S. Messiter  
Matthew Shahabian  
Assistant United States Attorneys  
(212) 637-2544/1046

Cc: Serguel Akiti, Esq. (by ECF and email)

Application GRANTED. It is hereby ORDERED that time is excluded under the Speedy Trial Act between December 15, 2023 and January 9, 2024. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial for the reasons stated by the Government above.

The Clerk of Court is directed to terminate the pending motion at docket entry 21.

Dated: December 18, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE